

APPROVED: Meeting No. 27-82

ATTEST: *Helen M. Heneghan*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 22-82

June 1, 1982

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Tuesday, June 1, 1982, at 8:00 p.m.

PRESENT

Mayor John R. Freeland

Councilman Steve Abrams

Councilman Douglas Duncan

Councilwoman Viola Hovsepian

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Clerk Helen Heneghan; City Attorney Paul Glasgow; City Manager Larry Blick; Director of Recreation and Parks Ronald Olson; Director of Planning James M. Davis; Director of Finance John Lawton; Director of Community Development Douglas Horne; Director of Community Resources Bert Drayton; Budget Officer Anna Lee Berman; Information Officer Sue Patterson; Director of Public Works Robert Goodin;

Re: Public Hearing:
Operating Budget, FY 83
Capital Improvements
Program, FY83-87, Use
of Revenue Sharing Funds
and Intent to Set the
Tax Rate in Excess of
the Constant Yield Tax
Rate

The Mayor reconvened the public hearing on the Operating Budget FY 83, Capital Improvements Program, FY83-87, Use of Revenue Sharing Funds and Intent to Set the Tax Rate in Excess of the Constant Yield Tax Rate and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor declared the hearing closed with the record to be held open until Monday, June 7, 1982, at 5:00 p.m. for the submission of additional material.

Meeting No. 22-82

-2-

June 1, 1982

Re: Development of Testimony
for June 2 Public Hearing
by Montgomery County regarding
Maryvale School

Mayor Freeland told the Council that although the intent this evening is to develop testimony for the County Executive's public hearing, he has had conversations with Montgomery County in the past week and has learned that the County is reconsidering the City's offer of June 1981, that the Maryvale School property be turned over to the City with the condition that the City raze the building at its expense. Another requirement in accepting the property is that after the razing it become a park which is a public use and that excuses the State from calling the mortgage. Mayor Freeland said he had spoken to the Executive's assistant, Dr. Shaw, who said there has been a lack of communication which is why the County had not replied to the City's offer last year. Mayor Freeland asked that the City Manager reconfirm with the County Attorney, that a park is a "public use" thereby eliminating the \$75,000 debt service and the City spend \$40,000 for razing which is a lower estimate than was tended by the Council last year. If this information is relayed to the County first thing in the morning, they will call off the hearing.

Councilman Duncan said he too had talked to Montgomery County and the June 1981 offer from the County Executive still stands. A letter should be sent to the County based on the offer to the City of exercising its option, demolish the building and the County will ensure that the State will handle the debt service. He said the hearing may still be held, but an initial statement will be made by the County to that effect. Mr. Duncan put this in the form of a motion. It was seconded by Councilman Abrams. The City Manager said he has spoken with Mr. Boston, the property chief who feels that a public park will be public service. Mr. Boston also said that two estimates were given for demolition and the estimate received by the City is more reasonable than the County's estimate. He noted that there is a storm water management problem in that area. It has been programmed in the CIP at a cost of \$22,000. That cost would be avoided with the acquisition of the school site and the money could then be applied to the razing of the building. Councilwoman Hovsepien asked if the Council feels the public

use will be questioned. The City Manager suggested that if the State did not feel a park is a public use, the City could raze the building and allow Montgomery County to handle the debt service for another year until the City is in a better position to handle it. Mayor Freeland asked that a letter be drafted to follow up a telephone call in the morning saying that the City is prepared to take ownership of the property and demolish the building just as quickly as the County is prepared to comply with State law and therefore, the City questions the need for people coming to the hearing since it is not necessary. Discussion followed by the Council as to what notification procedure should be followed for the citizens, some of the Council feeling that the County should do the notification. This was agreed to but the City staff was instructed to follow up. Councilman Abrams suggested, in the interest of time, that a letter might be sent to the County, making the offer with the indication that the details will be spelled out at a later time.

Councilman Duncan's motion passed unanimously.

Re: Executive Session:

On motion of Councilman Abrams, duly seconded and unanimously passed, the meeting was closed for executive session to discuss property acquisition and litigation.

Re: Work Session

There being no further business to come before the Council in executive session, the work session was begun on the Capital Improvements Program.

The City Manager gave the Council a chart on alternative CIP choices and showed the funding necessary for each choice. At the same time he proffered a staff response to the Mayor and Council changes.

R-217 - Bikeways

The Mayor and Council agreed to shift this back one year. Staff recommended deleting \$5,000 from FY 88.

T-5 - Monroe Street/Hungerford Widening

Staff recommended Maryland SHA to pay for ramp demolition and road widening. The Mayor and Council agreed that this would be left alone and negotiations would begin with the State.

T-30 - Martins Lane Extension

Staff recommended this be moved to Anticipated Future Cost. The Mayor and Council left this at \$480,000.

T-31 - West Montgomery Avenue/Van Buren Widening

Councilman Duncan asked what would happen to the trees if West Montgomery is widened as suggested. The staff said they did not plan to remove the trees but could not guarantee a residual problem with the trees when the land is moved. Councilman Duncan asked Mr. Cutro if the neighborhood had been consulted. Mr. Cutro said it has, just last week. A discussion followed by the Council concerning neighborhood contacts before projects are finalized and the necessity of keeping people informed. Councilman Duncan asked what the need is for this project. Councilman Tyner noted that the needs might still need to be examined. After further discussion, Council agreed to push this project one year into the future, but leave \$4,000 for planning in FY 83. Councilman Tyner suggested that it be indicated in the justification that part of this plan is not complete.

T-805 - Ritchie Parkway Sidewalk

Staff recommended adding to R-217 in FY 84 and pay 75 percent with the POS funds. The Council discussed this project at length. It was Councilman Abrams' wish that this project be done since it is used as a children's path to school. He felt it was a public safety item, not a recreational item. The Council finally agreed to go with the staff's suggestion with Councilman Abrams dissenting.

E-201 - B&O Station/Historic District

Staff recommended moving all but \$4,000 in Planning/Design to Anticipated Future Costs. Councilman Tyner asked if there would be additional information. The City Manager said it would be a while before all the information could be brought together. Mr. Michael Patterson, Historic District Commission Chairman, present in the audience, gave some background to the Council. It was the Council's feeling that eventually there will be some special assessment in that area and it would be better to wait until the Council had more knowledge of what would develop there before the project was started. Council agreed to leave this alone.

TCP-9 - Intersection Landscaping

Staff recommended moving \$256,000 into Anticipated Future Costs. Councilwoman Hovsepian said she would like to have the cost of the individual intersections. She specifically is concerned about First Street. Mr. Davis said LDR will have those figures in about two weeks. The Mayor and Council changed the funding schedule - FY 83 - \$25,000; FY 84 - \$75,000; and FY 85 - \$75,000.

TCP-10 - Street Landscaping

The staff recommended moving \$227,000 into Anticipated Future Costs. The Council agreed to staff's suggestion and changed the funding schedule to: FY 83 - \$25,000; FY 84 - \$75,000; and FY 85 \$75,000.

Meeting No. 22-82

-5-

June 1, 1982

The Council then returned to its review of the operating budget. Councilman Duncan suggested that the City drop out of the National League of Cities and the United States Conference of Mayors in order to save the dues and travel costs. Councilman Tyner opposed that suggestion. He said either make a dollar ceiling on expenses or send the Mayor or his designee. A discussion followed on the advantages of membership. Councilwoman Hovsepian said she would prefer to attend the National League of Cities Conference and decide whether or not it was an advantage for the City to belong. Mayor Freeland suggested the Conference of Mayor's membership be dropped and since the National League of Cities dues are paid through March of 1983, that funds be deleted and it be discussed again at mid-year. The Council agreed to this suggestion.

Mayor Freeland suggested that \$30,000 be given to Peerless Rockville on a loan basis and at the end of the year interest be charged.

Councilman Abrams asked what should be done about the emergency assistance fund. Mayor Freeland said there is no need to add to the fund since only \$4,000 has been used in this fiscal year. That would leave a balance of \$96,000 and with the return on investments it probably is well over \$100,000 in the fund at this time. Council agreed to delete the \$25,000 from the budget.

On the holiday decorations, the Mayor and Council agreed that a letter would be sent to the Chamber of Commerce explaining the phase in of the holiday decorations. The City will put in \$5,000 and the Chamber will be asked to contribute \$5,000 towards the decorations.

On the wish list, the Dawson Farmhouse costs were deleted because of it being a loan and not an expenditure. On Council Chamber refurbishing, the Council deleted the item of visitors chairs. They will purchase five new Mayor and Council chairs, new staff chairs and tables, paint the room, replace the rug and lighting fixtures and get rid of the orange wall in the back of the room for a total of \$6,000. On item number 3, mail agendas free or 24 hour telephone recording, the Council agreed to go with the phone recording for \$485. Miss Berman said because of the deletions and changes made a \$85,000 surplus now shows.

Councilman Duncan asked about the senior citizens request at the hearing. The City Manager said funds can be shifted from one account to another and then the senior citizens will be in charge of the spending.

The Council discussed the request of the Humanities Commission. The Council agreed that the contest should be limited to young people so

that there will be \$450 for prizes, \$1,350 towards the oral history and \$1,000 will be added for the special Hanna Award. Councilman Tyner asked what funding will be given to the Human Rights Commission. The Council agreed to earmark \$1,100 specifically for a hate/violence campaign and Rockville Watch Program. The Mayor suggested an additional \$1,000 be added to that so they can operate more fully. He asked the City Clerk and the City Manager to send a letter to the group's chairman and tell them what funding has been given and why.

Councilwoman Hovsepian asked the Mayor and Council what they plan to do about the Beall/Dawson house since testimony was given about a cut in funding. Miss Berman explained that was misinformation. There has not been a cut back in funding. The Mayor asked that a written explanation be sent to the Montgomery Historical Society on that.

Councilman Abrams brought up the sidewalk on Ritchie Parkway and asked that that be funded. The Council did not agree.

Councilman Tyner suggested the targets of opportunity be reinstituted for \$25,000 and then the additional funding be placed in pay-as-you-go. Councilman Duncan suggested reducing the tax rate by one cent. Councilman Tyner disagreed with this suggestion because he felt an emergency fund could be of more use or funding can be put into pay-as-you-go. The City Manager suggested the additional funding be placed in the concrete maintenance budget because there is always a need for that.

Councilman Tyner suggested the KAT program for West Rockville be investigated as suggested by the West End Civic Association. Mr. Olson explained that if it were put in it is a self-supporting program so it would not require funding. Councilmembers Duncan and Hovsepian suggested reducing the tax rate by one cent. Councilmembers Abrams and Tyner suggested staying with the five cent reduction to ninety cents.

Mayor Freeland suggested it would be better to stay with the ninety cent figure and reduce the need to borrow. It would be a good idea to hold the tax rate there as part of a downward trend but not take a chance of causing an increase next year or taking on extra debt. Councilman Abrams said unless there is a specific use for the funds such as the sidewalk on Ritchie Parkway he would prefer to go with the reduction. Mayor Freeland said since the hour is late, that the Mayor and Council meet on June 7 for an additional work session after the Mayor and Council meeting and make a decision prior to setting the rate on June 14, at 9:00 p.m.

Meeting No. 22-82

-7-

June 1, 1982

Re: Adjournment

There being no further business to come before the Mayor and Council in work session, the meeting was adjourned at 1:30 a.m. to convene again in general session on Monday, June 7, 1982, at 8:00 p.m. or at the call of the Mayor.